

MINUTES OF THE PLANNING COMMISSION MEETING OF JUNE 07, 2006, AT 6:00 P.M.
IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS.

MEMBERS PRESENT: Jerri Harwell, Tom Bowen, Gordon Nicholl, JoAnn Frost, Sue Ryser
Amy Rosevear,

EXCUSED: Jim Keane, Doug Haymore, Geoff Armstrong

STAFF PRESENT: Planning Manager Michael Black, Associate Planner Glenn Symes,
City Attorney Shane Topham, Deputy City Recorder Sherry
McConkey

ALSO PRESENT: Ralph Child, William Vago, Mark Wengreen, Alan McCormick,
Roxanne McCormick, Troy Saunders

1.0 PUBLIC COMMENT

1.1 No public comment was given.

2.0 PUBLIC HEARING – REGIONAL COMMERCIAL ZONE

2.1 Mr. Black explained that this is an amendment to the Regional Commercial zone to add two conditional uses which are car washes and pawn shops without weapons. The regulations for car washes will appear in Chapter 19.76, Supplementary and Qualifying Regulations and are listed in the staff report dated June 07, 2006. Staff is recommending approval of the regulations and the amendment to the CR (Regional Commercial zone). Mr. Black read the proposed Pawn Shop without Weapons ordinance;

19.40.170 Pawn Shops without Weapons.

1. Weapons. For the purposes of this chapter a weapon is:

- a. Any firearm, which includes, but is not limited to: any barreled device of any description, from which any shot, bullet, pellet, dart, paint ball or any other potentially lethal missile can be discharged. It includes any component part of such a weapon, and any accessory to such weapon designed or adapted to diminish the noise or flash caused by the firing of the weapon.
- b. Knives, such as any knife, including a belt buckle knife, dirk, dagger, cane sword, pen knife, lipstick knife, switchblade, butterfly knife or any knife that has a blade longer than 2 ½ inches, opens automatically or has more than one sharp edge.
- c. nunchaku
- d. metal knuckles
- e. blow guns in excess of twelve (12) inches long
- f. bows and cross bows
- g. ammunition, arrows, bullets or any explosive devise

- 2.2 Chair Bowen opened the public hearing for the proposed CR zone amendment regarding car washes.
- 2.3 Troy Sanders, Allred, Soffe, Wilkinson, and Nichols, stated that he and his client have applied the proposed ordinance on car washes to a real life model and found it to be acceptable and practical.
- 2.4 Chair Bowen closed the public hearing.
- 2.5 **MOTION:** Mr. Nicholl moved to recommend approval of the CR zone amendment regarding car washes subject to the proper wording by the City Attorney of the car wash ordinance to the City Council for approval. The motion was seconded by Ms. Harwell and passed unanimously on voice vote
- 2.6 Mr. Black stated that the Pawn Shops without Weapons is the other ordinance as described previously.
- 2.7 Chair Bowen opened the public hearing on the CR zone regarding amendment Pawn Shop without Weapons.
- 2.8 No public comment was given.
- 2.9 Chair Bowen closed the public hearing.
- 2.10 **MOTION:** Ms. Rosevear moved to recommend approval of the CR zone amendment regarding Pawn Shops without Weapons ordinance to the City Council. The motion was seconded by Ms. Harwell and passed 5-1 with Mr. Nicholl opposed.
- 3.0 **PUBLIC HEARING –ZONE CHANGE - RICHARD SAUNDERS**
- 3.1 Mr. Symes stated that the City has received a zone change application for approximately 1.45 acres of property located at 8095 S. Pine Creek Lane. The request is for a zone change from RR-1-43 to RR-1-21. The general plan designation is rural residential and staff is recommending approval based on the location and the designation.
- 3.2 James W. Wilson, 2241 Pine Creek Circle, asked if the change would create a flag lot and inquired about potential issues with the lack of water pressure.

Mr. Symes explained that Salt Lake City Water would require flow tests and assured Mr. Wilson that if the water flow test shows not enough water then the development would not move forward.

Mr. Black explained that the Flag Lot ordinance is on tonight's agenda for discussion and that a future subdivision here would be considered a Flag Lot. Mr. Black stated that an application would need to be submitted and that this property would be considered for a Flag Lot if the ordinance is approved.

- 3.3 Ralph Childe, 8145 Pine Creek Lane, reiterated that the water pressure is a problem and has spoken with Salt Lake City Water which stated that the new development is taking some of the pressure and that the problem is being corrected.

- 3.4 Chair Bowen closed the public hearing.

- 3.5 **MOTION:** Mr. Nicholl moved to recommend approval of the zone change application and move it on to the City Council. The motion was seconded by Ms. Rosevear and passed unanimously on voice vote.

4.0 **PUBLIC HEARING – PLAT AMENDMENT – WITHDRAWN**

- 4.1 Mr. Symes explained that this item has been withdrawn Chair Bowen explained that the applicant Mr. Cerva has withdrawn the application due to the purchase of property next to his which allows him access to Creek Road.

- 4.2 Alan McCormick, 2624 E. Tuxedo Circle, mentioned that when this property was under the county they stated that there would never be access onto Creek Road due to site impairment. A traffic study should be done before Mr. Cerva be allowed to access Creek Road. Mr. McCormick asked what Mr. Cerva had planned for his property because the neighborhood has heard that he wants to build a Mother-In-Law apartment.

- 4.3 Chair Bowen stated that at this time the Planning Commission had nothing in front of them on this item due to it being withdrawn and that Mr. Cerva would need to apply for a building permit and it would be addressed at that time.

- 4.4 Mr. Topham stated that a diligent search was made for the County records and none can be found and that this may just be a notation of fact on the plat.

- 4.5 Chair Bowen explained that if Mr. McCormick can find any of the documentation he is welcome to bring it in to staff and they will take a look at it.

- 4.6 William Bargo, 2665 E. Chalet Circle, stated that he has similar concerns as Mr. McCormick.

5.0 **ACTION ITEM – NEIGHBORHOOD COMMERCIAL ZONE**

5.1 Mr. Black stated that the Planning Commission had met 3 weeks ago on this issue and that some changes in wording had been made. Staff is recommending approval of this ordinance with the noted changes and as represented in the Staff Report dated 6/7/06.

5.2 Chair Bowen opened the public hearing.

5.3 No public comment was given.

5.4 Chair Bowen closed the public hearing.

5.5 **MOTION:** Ms. Rosevear moved to recommend to the approval of the Neighborhood Commercial zone to the City Council. The motion was seconded by Ms. Frost and passed unanimously on voice vote.

6.0 **ACTION ITEM – RESIDENTIAL OFFICE**

6.1 Mr. Black stated that the Planning Commission had met 3 weeks ago on this issue and that some changes in wording had been made. Staff is recommending approval of this ordinance with the noted changes and as represented in the Staff Report dated 6/7/06.

6.2 Chair Bowen opened the public hearing.

6.3 No public comment was given.

6.4 Chair Bowen closed the public hearing.

6.5 **MOTION:** Ms. Rosevear moved to recommend approval of the Residential Office zone to the City Council for approval. The motion was seconded by Mr. Nicholl and passed unanimously on voice vote.

7.0 **ACTION ITEM – FLAG LOTS**

7.1 Mr. Black explained that the Planning Commission has discussed this item previously and noted that this ordinance would appear in the subdivision ordinance. Mr. Black stated that height is the biggest issue of this ordinance and proposed limiting the height of the flag lots.

7.2 Mr. Nicholl moved to recommend approval of the Flag Lot ordinance to the City Council with the stipulation that a height restriction of 26 feet be added. The motion was seconded by Ms. Harwell and passed unanimously on voice vote.

7.3 **APPROVAL OF MINUTES**

7.4 Ms. Rosevear moved to approve the minutes for May 3, 2006 and May 17, 2006. The motion was seconded by Ms. Harwell and passed unanimously on voice vote.

8.0 **MOTION:** Mr. Nicholl moved to adjourn the meeting. The motion was seconded by Ms. Ryser and passed unanimously on voice vote.

Approved: 7/5/06 sm